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Attorneys for Plaintiffs and the Certified Class
 ("Class Counsel")

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

MATHEW ROSS, an individual, for himself
 and those similarly situated; ROBERT MAGEE,
 an individual, for himself and those similarly
 situation; and ROES 1 through 30,000 and the
 certified class,

Plaintiff,

vs.

ECOLAB, INC., a Delaware Corporation; and
 DOES 1 through 100, inclusive,

Defendants.

CASE NO: C 13-05097 PJH

(Action filed December 21, 2009)

CLASS ACTION

**[PROPOSED] ORDER GRANTING
 FINAL APPROVAL OF ATTORNEY'S
 FEES AND COSTS**

HEARING HELD:

Date: August 31, 2016

Time: 9:00 a.m.

Courtroom.: 3, 3rd Floor

ORDER

On August 31, 2016, the Plaintiffs' Motion for Final Approval of Attorney's Fees and Costs came on regularly in Courtroom 3 of the above-captioned court, Hon. Phyllis J. Hamilton, presiding.

This Court, having fully received and considered the Plaintiffs' *Unopposed* Notice of Motion for Final Approval of Attorney's Fees and Costs; supporting memorandum of points and authorities; the declarations of Alejandro P. Gutierrez, Daniel J. Palay, Michael A. Strauss, Jenna H. Strauss, Matthew Righetti, Aaron Kaufmann, Bradley A. Bening, and Brian D. Hefelfinger; the pleadings, declarations and evidence previously filed with this Court on April 6, 2016 in connection with the Plaintiffs' *Unopposed* Motion for Preliminary Approval of Class Settlement and supporting papers; and the oral argument presented to the Court, HEREBY ORDERS and MAKES DETERMINATIONS as follows:

1. This Court has jurisdiction over the subject matter of this litigation and all matters relating thereto, and over the Plaintiffs, including all settlement class members, and the Defendants.

2. The class notice was distributed to class members, pursuant to this Court's orders, and fully met the requirements of Rule 23 of the Federal Rules of Civil Procedure, due process, and any other applicable law. No class members objected to the Settlement or any of its terms by the deadline.

3. Pursuant to Rule 23(h) of the Federal Rules of Civil Procedures, this Court finds and determines that reasonable attorneys' fees should be awarded to class counsel, Hathaway, Perrett, Webster, Powers, Chrisman & Gutierrez, and Strauss & Palay, APC, in the amount of twenty-five percent (25%) of the settlement amount of \$35,000,000. Specifically, the Court awards and grants final approval of the sum of \$8,750,000 as attorney's fees.

4. The Court has determined that the fee award herein is appropriate based on class counsel's efforts and the substantial benefits to the class that were achieved by the litigation. The litigation has been protracted, contentious, and intensely fought. Class Counsel dedicated significant time and resources in pursuing Plaintiffs' claims, particularly in light of the aggressive defense presented by Ecolab over the course of over six years.

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1 5. The settlement reached in this matter, and approved by the Court concurrently with this
 2 fee and cost request, is fundamentally fair and gives good cash value to the class members
 3 representing the majority of claimed unpaid wages based on 15 hours of overtime worked per week.
 4 The fee award of twenty-five percent (25%) of the common fund is appropriate and reflects counsel's
 5 efforts and skill.

6 6. The Court finds and determines that \$73,377.86 in costs were reasonably incurred by
 7 Class Counsel and are awarded to Hathaway, Perrett, Webster, Powers, Chrisman & Gutierrez, APC
 8 and Strauss & Palay, APC. In addition to the award of fees set forth above, Class Counsel shall also
 9 be reimbursed their costs from the settlement amount.

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 12 IT IS SO ORDERED, this 31st day of August, 2016.

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 14 _____
 15 HON. PHYLLIS J. HAMILTON
 16 UNITED STATES DISTRICT COURT JUDGE

